

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 27, 1891.—Ordered to be printed.

Mr. TURPIE, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 4209.]

The Committee on Pensions, to whom was referred the bill (H. R. 4209) granting a pension to Oliver P. Martin, have examined the same and report:

From the facts stated in House report, which is hereby approved and hereto attached and made a part of this report, we believe this to be a meritorious bill and do recommend that it be passed.

[House Report No 1574, Fifty-first Congress, first session.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4209) granting a pension to Oliver P. Martin, beg leave to submit the following report:

Oliver P. Martin enlisted as a private in Company I, Seventeenth Regiment Ohio Volunteer Infantry, on the 1st day of February, 1864, and was mustered for discharge at Louisville, Ky., on the 16th day of July, 1865, at Camp Chase, Ohio. His regiment came to Camp Chase, Ohio, where he received his discharge papers, on the evening of July 20, 1865. On the morning of the 21st of July, the next morning, he with others was ordered to get on a train of cars on the Baltimore and Ohio Railroad, to go to Zanesville, Ohio, and from there to his home; that he got upon the aforesaid train, and when about 16 miles east of Columbus, Ohio, a truck wheel of the engine broke, causing an accident to the train, and that in the smash-up he was caught between two cars and his right leg was broken about 6 inches below the knee, disabling him from manual labor, and his present physical condition is such that he can do only the lightest kind of labor, suffering much pain in both his right leg and right ankle.

He filed his application in the Pension Office April 23, 1873, and it was rejected by the Department for the reason "that the injury was not received strictly while in the service in the line of duty." There is no doubt, from the evidence submitted and from all the papers now on file, that claimant suffered such injury and is now partially unable to support himself, and that this occurred the next morning after he had received his discharge, but before the Government had returned him to his home or place at which he had enlisted.

This case is similar to that of Henry Canode, favorably reported in the Forty-ninth Congress, first session, Report No. 3387, which became a law. In view of the precedents thus established, and in view of the premises, the committee recommend the passage of the bill.